REMARKS

Reconsideration and further examination of the subject patent application in view of the present Amendment and the following Remarks is respectfully requested. Claims 13-33 are currently pending in the application and stand rejected and claims 1-12 and 34 have been previously cancelled. Claims 13 and 23 have been objected to for informalities and claims 13-33 have been rejected under 35 U.S.C. §112, first paragraph as based upon non-enabling disclosure, and second paragraph as being indefinite. Claims 13-17, 20, 23-27 and 30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S Pat. No. 6108562 to Rydbeck et at. ("Rydbeck") in view of Masuhiro, (U.S. Pub. No. 2001/0003522) in view of Kelly (U.S. Pat No. 5,999,965), as have claims 18 and 28 over Rydbeck and Masuhiro further in view of Arndt et al. (U.S. Pat. No. 6,707,820). Claims 19 and 29 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Rydbeck and Masuhiro further in view of U.S. Pub. No. 2002/0133596 to Border et al. ("Border"), as are claims 21 and 32 over Rydbeck and Masuhiro further in view of U.S. Pub. No. 2006/0034262 to Pogossianto et al. ("Pogossianto") and claims 22 and 33 over Rydbeck and Masuhiro further in view of U.S. Pub. No. 2002/0181670 to Meyer et al. ("Meyer"). Claims 13, 15, 20, 23-25, and 30 have been amended. After a careful review it is believed that the claims are in allowable form and therefore Allowance is respectfully requested.

Claim 13 has been objected to and has been amended in accordance with the Examiner's suggestions. Claims 13-33 were rejected under 35 U.S.C. §112, first paragraph for non-enablement of selection of a second communication network. However, the claim now calls for "the microprocessor in response to the disconnection issues a control signal to the switch multiplexer to route the disconnected incoming call through a second communications network." This is disclosed

in the 2nd-4th paragraphs of page 8 and the first full paragraph of page 9 of the application. The ability of ACD's to automatically route calls is well known and is the fundamental function of an ACD. Claims 20 and 30 have been amended to claim further features regarding determining the reconnected call as described in the second and third full paragraph of page 9. Claims 13-33 have been rejected under U.S.C. §112, second paragraph as being indefinite. Claims 13 and 23 have been amended to clarify the identified portions. Claim 14 calls for "at least one" from the group and is therefore believed to be clear. Claims 15, 24 and 25 have been amended to include the phrase "at least one" and are therefore also believed to clearly call for one or more of the recited group. Thus, all claims are now believed to be in allowable form.

The claims 13-17, 20, 23-27 and 30 have been rejected as obvious in view of Rydbeck and Masuhiro. Rydbeck discloses a wireless mobile phone for communications on several different wireless networks. Rydbeck however does not disclose an agent telephone system, or establish communications between an incoming call and the agent system through an ACD (see claim 13, lines 20-23) or have a plurality of network interfaces coupled to a plurality of communication networks coupled to an ACD as claimed (claim 13, lines 17-20). Rydbeck instead concerns communications with a number of independent networks which would not handle a reconnection of a call lost on a different network (claim 3, lines 24-31). Thus, Rydbeck fails to disclose the above claimed features, and is unsuitable to incorporate the claimed rerouting.

The Office Action concedes that Rydbeck does not disclose detection of a failure of a first network but that Masuhiro discloses detection of a failure. Masuhiro discloses a telephone terminal 30, 31 connected to a PBX system 20, 21, where the two PBX systems are in turn, connected to each other via an IP network 10 or an ISDN link 11. Masuhiro further describes PBX 20 detecting a

congested state (i.e., an increase in delay of packets) on IP network 10 connecting to PBX 21, which then requests a connection to PBX 21 via ISDN link 11. The PBX 21 makes the connection by returning response information to the agent for connection, and then the PBX 20 reports the telephone number of the telephone terminal 31 to the PBX 21 and requests a change of the call connection to ISDN. Each PBX system then changes the connection to an ISDN connection, and the PBX's then establish the communication between the telephone terminal 30, 31. Thus, Masuhiro does not connect a lost incoming call, but instead merely creates a new connection between two PBX's when an increase in packet delay, not a disconnection, is detected. It is important to note that Masuhiro shows PBX systems interconnected by various network topology. It does not teach or disclose an automatic call distributor (ACD) coupled to an agent telephone system (i.e. agent station) through a plurality of network interfaces.

In contrast, applicant's claimed invention is an agent telephone system or agent station which is coupled to an automatic call distributor (ACD) 16 by a plurality of communication networks through a plurality of network interface and a switch multiplexer (Claim 13 "the agent telephone system comprising...a plurality of network interfaces operatively coupled to the switch multiplexer, each of the plurality of network interfaces operatively coupled to one of the plurality of communication networks coupled to the automatic call distributor.") The agent telephone is not coupled to a PBX, as is shown in Masuhiro. There is a significant difference between an ACD and a PBX. In Masuhiro, the telephone terminal 30 is directly coupled to the PBX. In applicant's invention, the agent system 32 is coupled to the ACD 16, which is in turn coupled to the external switch or PSTN 18. It is not a trivial matter to include the ACD 16 between the agent telephone system and the PSTN 18, and this feature is not disclosed in Masuhiro.

Again, in Masuhiro, two PBX's are coupled by a plurality of networks. This is a common practice and is well known. The PBX or switch represents a major infrastructure investment by the operator, and is very expensive, and connecting two PBX systems via multiple networks is a very deliberate choice, not easily modified once implemented. Thus, the PBX system and the network link to other PBX systems is essentially fixed at the time of installation and not readily modified.

In contrast, in applicant's claimed invention, a plurality of network interfaces are coupled between the agent telephone system multiplexer and the plurality of communication network connecting to the ACD. This is a simple interface and permits a wide range of flexibility. For example, to install the Ethernet phone network 90 shown in Fig. 4, it is a simple matter of inserting an Ethernet card in the agent telephone system, which Ethernet card may cost as little as $100. This is similar to installing an Ethernet card in a standard personal computer. It is a quick and inexpensive process. This is because such network interfaces couple the agent telephone terminal 32 with the ACD, and are not connected to the PBX or switch like the system in Masuhiro. Again, an ACD is not a PBX or switch and the two components cannot be equated--they are very different.

The claimed feature of an agent telephone system coupled to the ACD via a plurality of communication networks and interfaces is missing in Masuhiro. In Masuhiro, the telephone is directly coupled to the PBX. In addition, the element of a plurality of network interfaces coupled to the switch multiplexer to couple a selected network from the ACD to an input line of the multiplexer to establish communication between a caller and the agent through the ACD is missing in Masuhiro. In addition, none of the references teach the claimed feature of a failure causing disconnection, with the microprocessor issuing a control signal in response to the disconnection to reroute the disconnected call through the second network.

Because at least these significant element of applicant's claimed invention are missing from the system Rydbeck and in Masuhiro, the claimed invention is believed to be distinguishable over the combination. Accordingly, applicant submits that independent claims 13 and 23 are allowable over Rydbeck and Masuhiro and that claims depending from claims 13 and 23, respectively, are allowable as depending from allowable base claims.

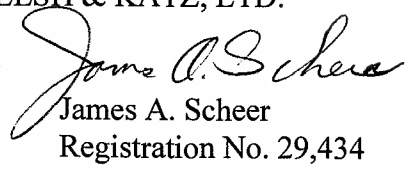
In the present case, none of the references, taken either individually or in combination, teaches or suggests the above discussed elements of applicant's claimed system. None of the secondary references add anything of significance to the combination, and none of these secondary references teaches or suggests the key features missing from Rydbeck and Masuhiro, namely that the plurality of network interfaces couple the agent telephone to the plurality of network of the ACD. There is no connection between the agent telephone system and the external switch (i.e. PBX) because the ACD is coupled between the agent telephone system and the external switch.

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

WELSH & KATZ, LTD.

By 
James A. Scheer
Registration No. 29,434

October 30, 2007

WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500